

United States Congress
Washington DC, 20510

June 23, 2020

The Honorable Joseph V. Cuffari
Inspector General
Department of Homeland Security
Office of Inspector General/MAIL STOP 0305
245 Murray Lane SW
Washington, DC 20528-0305

Dear Inspector General Cuffari:

We write to you today to request an immediate investigation into the use of chemical disinfectants at Immigration and Customs Enforcement (ICE) detention facilities. According to several news reports, advocacy organizations have filed complaints against Immigration and Customs Enforcement (ICE) detention facilities in California, Florida, and elsewhere claiming that migrants being held there are suffering severe adverse effects from chemical disinfectant sprays being used to combat the COVID-19. We are very concerned about these reports and ask that this matter be investigated immediately either as an independent investigation or concurrently with other pending investigations at ICE detention facilities.

One of the reported complaints of toxic chemical exposure occurred at the Adelanto ICE Processing Center (Adelanto) in Adelanto, California. Adelanto is run by the private prison company, GEO Group, through a direct contract with Immigration and Customs Enforcement (ICE). According to public reports, people detained at Adelanto are routinely exposed to a powerful chemical disinfectant, causing physical injuries including but not limited to bloody noses, nausea, burning eyes, headaches, rashes, throat irritation, blisters, fainting, and difficulty breathing. The use of this chemical disinfectant began directly after advocacy groups reported that people in detention were only being provided water to clean personal and common areas to combat the spread of COVID-19. On May 21, 2020, advocacy groups Freedom for Immigrants (FFI) and the Inland Empire Coalition for Immigrant Justice (ICIJ) filed a complaint with the Department of Homeland Security's Office for Civil Rights and Civil Liberties (CRCL) detailing reports from people detained at Adelanto that facility staff is using HDQ Neutral, a chemical disinfectant, within the facility. The groups stated that beginning on May 11, 2020, they have received reports multiple times a day from people detained at Adelanto regarding the negative and serious health consequences that they are suffering due to exposure to HDQ Neutral.

Spartan Chemicals, the company that produces HDQ Neutral, states on its website that the chemical should be used, "only outdoors or in a well-ventilated area" and that people using the disinfectant should wear protective gloves, clothing, and face protection. However, people detained at Adelanto report that the chemical is sprayed at regular intervals inside the facility, including spray directly onto door handles and phones and adjacent to sleeping quarters and in bathrooms. The people detained at Adelanto are not given any protective equipment when the chemical is in use, although facility staff deploying the chemical disinfectant are equipped with masks and gloves. In addition, facility staff placed advisories on the wall notifying them that a chemical disinfectant would be used, but that these advisories did not include any information about safety precautions. Finally, it has also been reported

that the people being detained at Adelanto have been denied adequate medical care for adverse reactions to the chemical. As recently as June 5th, ICIJ received reports from a person detained at Adelanto that the chemical is still in use.

Other advocacy groups, including Friends of Miami Dade Detainees (FOMDD), have filed complaints regarding the use of toxic chemicals at other facilities. On May 2, FOMDD filed a complaint stating that officials at the Glades County Detention Center in Moore Haven, Florida were using a product called “Mint Disinfectant,” within the facility, causing “serious respiratory distress among people with asthma, bronchitis, and other medical conditions.” According to the Miami Herald, Mint Disinfectant is also manufactured by Spartan Chemicals and safety guidelines for use of the chemical warn that it should only be used in well-ventilated areas with the use of protective gear and can cause “serious eye damage” and “eye irritation” and that skin should not be exposed to it. Advocates with FOMDD state that, as of June 13, the chemical disinfectant was still in use at the facility.

Since COVID-19 spreads through droplets of mucus and spit in the air produced by coughing or sneezing, chemical agents that irritate the throat or other respiratory functions can help the virus proliferate. Therefore, the inappropriate and dangerous use of toxic chemical disinfectants used in close proximity to people in detention undermines its stated intended function of outbreak management, which remains critical as facilities still report high numbers of confirmed cases, including the Glades County Detention Center with over sixty cases.

Given the seriousness of these complaints at Adelanto and at other detention facilities we request that your office immediately and thoroughly investigate the allegations of use of HDQ Neutral, Mist disinfectant or any other disinfectant chemicals produced by Spartan Chemicals or other companies that are being deployed to combat the spread of COVID-19 at ICE detention facilities. In addition, we request that your report include the following information:

1. What chemical disinfectants are at use in ICE facilities throughout the country? Did ICE begin using different chemical disinfectants in response to COVID-19?
2. What is the scope of contracting between ICE and Spartan Chemical? When did ICE begin purchasing chemical disinfectant from Spartan Chemical?
3. How many detention facilities nationwide have received filed complaints regarding the use of any chemical disinfectants? Please list those facilities, the disinfectant(s) being used, and the manufacturing company.
4. Are there detention facilities using either HDQ Neutral or any other chemical disinfectants (where people have reported injuries) that do not have complaints? What preventative measures did these facilities execute that eliminated or reduced the toxic exposure to the general population?
5. When did staff at ICE facilities begin using HDQ Neutral or other disinfectants? How did facility staff reach the decision to use a specific brand of disinfectant? Were medical staff consulted during the decision-making process?
6. Did any of ICE’s private contractors notify ICE of the type of chemicals they intended to begin using to combat the spread of COVID-19 or did ICE officials instruct their contract staff to begin using any specific chemicals?
7. Is HDQ Neutral used at any ICE detention facilities in addition to Adelanto managed by the GEO Group?
8. Is HDQ Neutral still in use at the Adelanto detention facility or other facilities?
9. What safety measures are in place to protect facility staff from harm when HDQ Neutral is in use at the Adelanto facility or other facilities where it is in use? What safety measures are in place to protect people detained at Adelanto from harm when the disinfectant is in use? If

these safety measures are different for staff and detained people, what accounts for this discrepancy?

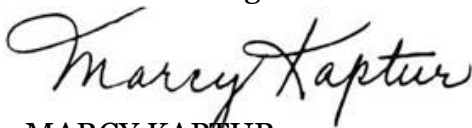
10. What steps did Adelanto facility leadership take to ensure that both staff and people in detention were aware of the use of HDQ Neutral at Adelanto and educated about any necessary safety protections?
11. Has medical staff at the Adelanto facility kept a record of requests for medical attention for adverse reactions to HDQ Neutral? If so, how many people have requested medical attention due to the use of HDQ Neutral, and what treatment did they receive? If not, is it possible to aggregate these instances? We request this aggregate data with periodic updates for the duration of use of these cleaning agents.
12. Are there reports at any other detention facility of detained people being denied adequate medical care for reactions to chemical disinfectants?
13. Have health experts who specialize in synthetic chemical exposure been consulted regarding the short- and long-term health effects to people who have been exposed to these chemicals?
14. Has ICE initiated any internal investigations into the use of HDQ Neutral or other toxic chemicals at Adelanto or other detention facilities? In the event that an ICE internal investigation found that GEO staff has exposed people detained at Adelanto to toxic chemicals, what plan does the agency have to hold the GEO Group accountable for this abuse?
15. When did officials at the Glades County Detention Center begin using Mist Disinfectant? How did facility staff reach the decision to use a specific brand of disinfectant? Were medical staff consulted during the decision-making process?
16. What steps did facility staff at Glades County take to ensure that safety measures were and continue to be in place to protect people detained at Adelanto from harm when the disinfectant is in use? If these safety measures are different for staff and detained people, what accounts for this discrepancy?
17. Has the use of Mist Disinfectant stopped at Glades? If so, why did facility staff decide to halt the usage of this chemical? What disinfectant is currently being used to clean the facility during the COVID-19 pandemic?
18. Were facility staff at Adelanto and Glades aware of previous internal strikes against the conditions of detainment? How did the facilities respond to the requests of strikers?

Thank you for your attention to this important matter. Please give this request your full and fair consideration on the merits in compliance with all applicable laws and regulations.

Sincerely,



JUAN VARGAS
Member of Congress



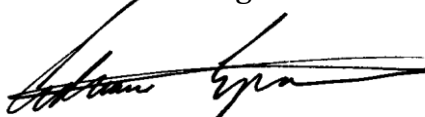
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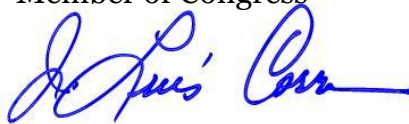
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